

02/07/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-794A

NAME AND ADDRESS: ROBERT M BROWN
555-A RIVER RD
BLISS ID 83314

SOURCE: SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.120 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION:

T06S R13E S28 NENENE Lot 1 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.120 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S21 Lot 3 SWSE 5.8

DOMESTIC same as IRRIGATION

5.8 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

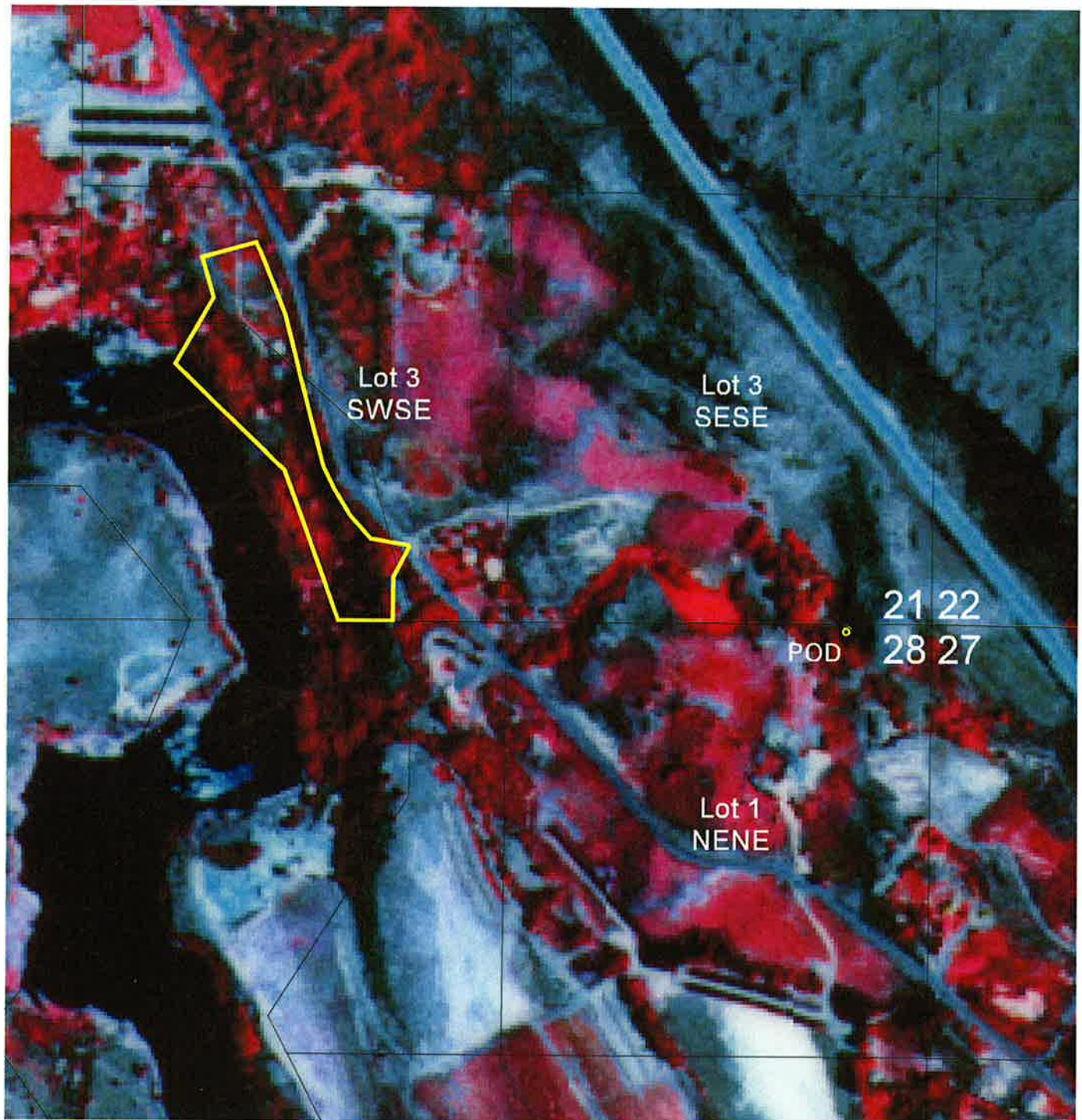
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

Source is also known as Montana Mining Company Ditch Spring No. 1.

37-794A



600 0 600 1200 1800 Feet

T06S R13E S21

Map prepared by: Carter Fritschle
Date prepared: 02/07/05
1987-1988 NAPP photography
Idaho Department of Water Resources



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

AUG 15 1989

Ident. Number: A37-00794A
Date Received: 8/11/1988
Receipt No: M001033
Received By: SCC

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT M. BROWN 208-837-4850
Address: 555-A RIVER RD.
BLISS, ID 83314

2. Date of Priority: APR 01, 1888

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	21	SE	SE			GOODING

5. Description of diverting works:
HEADGATE, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/15	10/15	0.260		

7. Total Quantity Appropriated is:
0.260 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 39.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	21	SE	SE		DOMEST	
			SE	SE		IRR	13.0

Section Acres 13.0

A37-00794A

Page 1

Date: 07/26/89

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Total Acres 13.0

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

.26 CFS PORTION OF 37-00794 DECREE OF 1.2 CFS.

DWR MEMO TO FILE**

THIS CLAIM WAS MISTAKENLY ENTERED UNDER A37-00764A.

THE ACTUAL CORE NUMBER IS CORRECTLY GIVEN ABOVE AND THIS CLAIM
HAS BEEN RENUMBERED A37-00794A AND THE REC. CHANGED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Robert M Brown Date: 8/7/89

Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of Aug 19 89

Seal

Gladys D Davis
Notary Public

Residing at Gooding Idaho
My Commission Expires 1-24-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JULY 26, 1989

ROBERT M. BROWN
555-A RIVER RD.
BLISS, ID 83314

RE: RE-NUMBERED CLAIM

DEAR MR. BROWN,

PLEASE FIND ENCLOSED TWO COPIES OF THE CLAIM YOU FILED AUGUST 11, 1988. THE CLAIM WAS GIVEN THE WRONG DECREE NUMBER AT THAT TIME. IN REVIEWING YOUR FILE I HAVE ASSIGNED THE CORRECT NUMBER TO YOUR CLAIM AS BASED ON WATERMASTER RECORDS.

PLEASE SIGN, NOTARIZE, AND RETURN THE COPY INDICATED BY THE YELLOW MEMO NOTE. THE OTHER COPY IS FOR YOUR RECORDS. REFER TO THIS NUMBER, A37-00794A, WHEN CORRESPONDING WITH OUR OFFICE REGARDING THIS WATER RIGHT CLAIM.

IF YOU HAVE ANY FURTHER QUESTIONS PLEASE CONTACT OUR OFFICE.

SINCERELY,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

STEVE CLELLAND
WATER RESOURCE AGENT

ENC:

MICROFILMED
FEB 23 1993

08/11/88
18:05:17

BROWN, ROBERT

ADJUDICATION FEE

0410162 9337 6490

\$118.00

\$118.00

CHECK 1196

WR/NO: A37-00764A A37-04037

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

Allen,

Please change this # to be:

A37- 00794 A

thunt

Stun

MICROFILMED

FEB 23 1993

M001033

08/11/88
18:05:17

BROWN, ROBERT

ADJUDICATION FEE

0410162 9337 6490

\$118.00

\$118.00

CHECK 1196

WR/NO: A37-00794A A37-04037

Idaho Department of Water Resources

Region: MOBILE I

Signature: _____

*Steve, This was 2/verdy changed.
7/31/89*

MICROFILMED
FEB 23 1993

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent JEANIE M ROBERTSON

Said they had purchased some property from a Robert M. Brown about three years ago and wondered if it had been filed on, and if not, how could they file on it? When I queried the legal description she gave me, I found the two claims mentioned above. A37-04037 had already been changed to Robbins but A37-00794A had not. The Warranty Deed submitted with A37-04037 mentioned only that right specifically, but perhaps they were unaware of the other right appurtenant to the same property. She said Mr. Brown passed away shortly after they bought the place and no longer owned any property down there. I sent her another ownership change form and said they should submit a map and we should be able to figure out if the other right should also be changed. I asked her to wait until after the first of next year as we are extremely busy right now. She said they will be heading south for the winter soon and will take care of this next April...